

State of South Dakota

SEVENTY-THIRD SESSION
LEGISLATIVE ASSEMBLY, 1998

400B0282

CONFERENCE COMMITTEE ENGROSSED

NO. **HB1019** - 2/26/98

Introduced by: The Committee on Appropriations at the request of the Board of Regents

1 FOR AN ACT ENTITLED, An Act to authorize the Board of Regents to expend higher
2 educational facilities funds to lease certain educational facilities or make rent payments
3 authorized by the Interim Appropriations Committee.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

5 Section 1. That § 13-51-2 be amended to read as follows:

6 13-51-2. There is continued an educational facilities fund in the state treasury from which on
7 and after July 1, 1984, the Board of Regents may make expenditures, relating only to institutions
8 of higher education under its jurisdiction, to:

9 (1) Make ~~lease-purchase~~ lease payments to the South Dakota Building Authority for
10 projects authorized to be paid out of that fund by the Legislature;

11 (2) Maintain and repair existing facilities in amounts as may from time to time be
12 authorized by the Legislature; ~~and~~

13 (3) Make rent payments to other private or public parties for educational facilities
14 authorized by the committee created by § 4-8A-2 that the committee has determined
15 to be necessary to the proper and efficient delivery of instruction; and

1 (4) Build and equip new facilities as may from time to time be authorized by the
2 Legislature.

3 No funding may be provided in any year for subdivision (3) or (4) of this section until the
4 level of annual appropriations reaches three million dollars for subdivision (2) of this section.
5 Authorizations for new lease payments, new construction, reconstruction, and renovation are
6 restricted to and shall not exceed the amount of higher education facilities funds in excess of the
7 sum of existing lease payments to the South Dakota Building Authority plus three million dollars
8 for maintenance and repair.

9 Section 2. That § 13-51-1 be amended to read as follows:

10 13-51-1. The Board of Regents of this state is hereby expressly prohibited from erecting any
11 buildings or structures or maintaining and equipping such buildings, or making any lease or lease-
12 purchase payments for any purposes authorized in § 13-51-2 without the approval of the
13 Legislature first obtained.

14 Section 3. That chapter 4-8A be amended by adding thereto a NEW SECTION to read as
15 follows:

16 Any rent payments made pursuant to subdivision 13-52-2(3), as authorized by the committee
17 created by § 4-8A-2, may not exceed a term of one year without approval of the Legislature at
18 the next legislative session.

1 **BILL HISTORY**

2 1/13/98 First read in House and referred to Appropriations. H.J. 22

3 1/27/98 Scheduled for Committee hearing on this date.

4 1/27/98 Appropriations Deferred to another day.

5 2/10/98 Appropriations Do Pass Amended, Passed, AYES 6, NAYS 1. H.J. 490

6 2/12/98 House of Representatives Do Pass Amended, Passed, AYES 61, NAYS 6. H.J. 621

7 2/13/98 First read in Senate and referred to Appropriations. S.J. 510

8 2/18/98 Scheduled for Committee hearing on this date.

9 2/18/98 Scheduled for Committee hearing on this date.

10 2/20/98 Scheduled for Committee hearing on this date.

11 2/20/98 Appropriations Do Pass Amended, Passed, AYES 8, NAYS 0. S.J. 615

12 2/24/98 Senate Do Pass Amended, Passed, AYES 27, NAYS 7. S.J. 676

13 2/25/98 House of Representatives failed to concur, appoint Conference Committee. H.J. 935

14 2/26/98 Senate Conference committee report adopted Passed, AYES 32, NAYS 1.